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10/686,707	10/17/2003	Kazunori Iwabuchi	501.42781X00	8796

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EXAMINER	
CHOU, ALBERT T	
ART UNIT	**PAPER NUMBER**
2416	
MAIL DATE	**DELIVERY MODE**
11/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/686,707	IWABUCHI, KAZUNORI	
	Examiner	Art Unit	
	ALBERT T. CHOU	2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/17/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objection

1. Claim 21.2 is objected to because of the following informalities:

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 21.2 (and/or other claims) should be been renumbered.

Appropriate correction is required.

Examiner's Note: Since claim 21 and claim 21.2 have the same claim limitation, only Claim 21 is considered in this office action.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 26 is rejected under 35 U.S.C. 101 because the claimed invention is directed to "*A program implementable in an information-processing apparatus*", which is considerable non-statutory subject matter.

Computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things". They are neither computer components nor statutory processes, as they are not "acts" being performed. In contrast, a claimed computer readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of computer which permit the computer program's functionality to be realized, and is thus statutory.

See pages 52-53 of USPTO "*Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 9-11, 15-20 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Pub. No. 2005/0198063 A1 by Thomas et al. (hereinafter "Thomas")

Regarding claim 1, Thomas teaches a network system **[Figs. 2-6; a monitoring system 600]** comprising: a plurality of information appliance **[Fig. 6; e.g. camera(s) 604 or an alarm system coupled to a controller/computer 602; para. 0057-0058]**; and a control system **[Figs. 1 & 6; remote computer 108 or wireless computer 122, etc.; para. 0057-0058]**,

wherein the control system comprises: response control means for receiving selection of an information appliance and response instructions from a user **[Fig. 10A, step 1004 or 1014-1018, receiving a request from a user; steps 1008-1012 or 1022, display the status/confirmation to the user's request; para. 0079-0083]** and sending a response command to the selected information appliance **[Fig. 10A, step 1006 or 1020, sending the status/control request to the selected camera, alarm or lighting system; para. 0080, 0083]**, and

wherein each information appliance comprises: response means for implementing a response processing **[Fig. 11, steps 1102-1108; local processing for a response processing; para. 0085]**, and information appliance control means for receiving a response command to have the response means implementing a response processing **[Figs. 12-13; controlling and performing local status/control requests; para. 0086-0091]**.

Regarding claims 2 and 10, Thomas teaches the control system further comprises: network information storage means for storing information appliance identifying information for identifying the respective information appliance **[Fig. 9B, steps 922-924; e.g. storing the received transmitted image to data storage provided by the remote computer; para. 0070-0072]**; and network control means for creating image data to display information appliance included in the network system based on the information appliance identifying information stored in the network information storage means **[Fig. 9C, steps 944-948, Figs. 14-15; displaying the appliance information shown on the GUI window 1400 or 1500; para. 0073, 0092-0095]**.

Regarding claim 3, Thomas teaches the information appliance further comprises:

information appliance information storage means for storing information peculiar to the information appliance **[Figs. 6-8, step 802-804; storing the image received in Buffer 608; para. 0058-0059, 0066]**,

wherein when receiving the response command **[Fig. 11, step 1102 or 1106; e.g. when receiving the status/control request; para. 0085]**, the information appliance control means sends the information peculiar to the information appliance **[Fig. 12, step 1212, Fig. 13, step 1308; send the reply message to when receiving the status/control request; para. 0086-0091]**, stored in the information appliance information storage means, to the control system **[Fig. 12, step 1204; e.g. retrieving the requested status information from the data storage; para. 0087]**, and

wherein the network control means of the control system stores the received information peculiar to the information appliance in the network information storage means in connection with the information appliance identifying information of the information appliance **[Fig. 9B, steps 922-924; e.g. storing the received transmitted image to data storage provided by the remote computer; para. 0070-0072]**, and creates image data to display the information appliance included in the network system, adding thereto information peculiar to the corresponding information appliance **[Fig. 9C, steps 944-948, Figs. 14-15; displaying the appliance information shown on the GUI window 1400 or 1500; para. 0073, 0092-0095]**.

Regarding claims 4 and 18, Thomas teaches the information peculiar to the information appliance includes geographical, positional information of the information appliance **[Fig. 9C, steps 944-948, Figs. 14-15; providing intelligent camera positioning or selection via panning control icons and tilting control icons on the GUI window 1400 or 1500; para. 0075, 0092]**.

Regarding claims 5, 19 and 20, Thomas teaches the response means of the information appliance comprises: a lighting device for implementing a lighting-on processing **[Figs. 10-13; the information appliance can be a lighting system; Abstract, para. 0080, 0083]**.

Regarding claim 9, Thomas teaches a control system **[Figs. 1 & 6; remote computer 108 or wireless computer 122, etc.; para. 0057-0058]** for controlling a network system **[Figs. 2-6; a monitoring system 600]** provided with a plurality of information appliance **[Fig. 6; e.g. camera(s) 604 or an alarm system coupled to a controller/computer 602; para. 0057-0058]**, each of which comprises:

response means for implementing a response processing **[Fig. 11, steps 1102-1108; local processing for a response processing; para. 0085]**; and information appliance control means for having the response means implementing a response processing **[Figs. 12-13; controlling and performing local status/control requests; para. 0086-0091]**,

wherein the control system further comprising: response control means to receive selection of an information appliance and response instructions from a user **[Fig. 10A, step 1004 or 1014-1018, receiving a request from a user; steps 1008-1012 or 1022, display the status/confirmation to the user's request; para. 0079-0083]** to send a response command to the selected information appliance **[Fig. 10A, step 1006 or 1020, sending the status/control request to the selected camera, alarm or lighting system; para. 0080, 0083]**.

Regarding claim 11, Thomas teaches the control system, wherein when receiving information peculiar to the information appliance, the network control means of the control system stores the information in the network information storage means in connection with the information appliance identifying information of the information

appliance **[Fig. 9B, steps 922-924; e.g. storing the received transmitted image to data storage provided by the remote computer; para. 0070-0072]**, and creates image data to display the information appliance included in the network system, adding thereto information peculiar to the corresponding information appliance **[Fig. 9C, steps 944-948, Figs. 14-15; displaying the appliance information shown on the GUI window 1400 or 1500; para. 0073, 0092-0095]**.

Regarding claim 15, Thomas teaches an information appliance connected to a network controlled by a control system, the information appliance comprising:

response means for implementing a response processing **[Fig. 11, steps 1102-1108; local processing for a response processing; para. 0085]**; and

information appliance control means for receiving a response command from the control system to have the response means implementing a response processing **[Figs. 12-13; controlling and performing local status/control requests; para. 0086-0091]**.

Regarding claim 16, Thomas teaches the information appliance further comprising: information appliance information storage means for storing information peculiar to the information appliance **[Figs. 6-8, step 802-804; storing the image received in Buffer 608; para. 0058-0059, 0066]**, wherein when receiving the response command from the control system **[Fig. 11, step 1102 or 1106; e.g. when receiving the status/control request; para. 0085]**, the information appliance control means sends the information peculiar to the information appliance **[Fig. 12, step 1212, Fig. 13,**

step 1308; send the reply message to when receiving the status/control request; para. 0086-0091], stored in the information appliance information storage means, to the control system **[Fig. 12, step 1204; e.g. retrieving the requested status information from the data storage; para. 0087]**.

Regarding claim 17, Thomas teaches the information appliance according to claim 15, further comprising: information appliance information storage means for storing information peculiar to the information appliance **[Figs. 6-8, step 802-804; storing the image received in Buffer 608; para. 0058-0059, 0066]**,

wherein when the information appliance is connected to the network **[Figs. 5A; e.g. camera apparatus 514 coupled to controller 220 is connected to Internet]**, the information appliance control means sends the information peculiar to the information appliance **[Fig. 12, step 1212, Fig. 13, step 1308; send the reply message to when receiving the status/control request; para. 0086-0091]**, stored in the information appliance information storage means, to the control system **[Fig. 12, step 1204; e.g. retrieving the requested status information from the data storage; para. 0087]**.

Regarding claim 26, Thomas teaches a computer readable medium encoded with a program in an information-processing apparatus **[Figs. 1 & 6; remote computer 108 or wireless computer 122, etc.; para. 0057-0058]** for controlling a network system provided with a plurality of information appliance **[Figs. 2-6; e.g. a monitoring system 600 provided with camera(s) 604 or an alarm system coupled to a**

controller/computer 602; para. 0057-0058], said program when executed by the computer causes response means for implementing a response processing **[Fig. 11, steps 1102-1108; local processing for a response processing; para. 0085]**; and information appliance control means for receiving a response command to have the response means implementing a response processing **[Figs. 12-13; controlling and performing local status/control requests; para. 0086-0091]**, wherein the program having the information-processing apparatus implementing a response control processing, in which selection of an information appliance and response stoppage instructions are received from a user **[Fig. 10A, step 1004 or 1014-1018, receiving a request from a user; steps 1008-1012 or 1022, display the status/confirmation to the user's request; para. 0079-0083]**, and a response command is sent to the selected information appliance **[Fig. 10A, step 1006 or 1020, sending the status/control request to the selected camera, alarm or lighting system; para. 0080, 0083]**.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6-8, 12-14 and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Pub. No. 2005/0198063 A1 by Thomas et al. (hereinafter "Thomas")

Regarding claims 6, 12 and 21, Thomas teaches when receiving selection of an information appliance and response stoppage instructions from a user **[Fig. 10B, step 1018; e.g. the user completes the control request form for turning on or obviously can be turning-off selected lights; para. 0083]**, the response control means of the control system sends a response stoppage command to the selected information appliance **[Fig. 10B, step 1020 & Fig. 15, room lighting On/Off; sending the control request for turning-on or obviously can be turning-off selected lights; para. 0083, 0093-0094]**, and wherein the information appliance control means of the information appliance having received the response stoppage command has the response means implementing a lighting-off processing of the lighting device **[Fig. 13, steps 1302-1308; para. 0089-0091]**.

Regarding claims 7 and 13, Thomas teaches when receiving selection of an information appliance and particular response instructions from a user **[Fig. 10B, step 1018; e.g. the user completes the control request form for turning on/off selected lights; para. 0083]**, the response control means of the control system sends a particular response command, which contains information for specifying the selected information appliance, to all the information appliance included in the network system

[Fig. 10B, step 1020 & Fig. 15, room lighting On/Off; e.g. sending the control request for turning-on or obviously can be turning-off selected/all lights; para. 0083, 0093-0094], and wherein the information appliance control means has the response means implementing a lighting-on processing of the lighting device in the case where the information for specifying the information-processing, contained in the received particular response command, is indicative of the information appliance **[Figs. 11 &13, steps 1302-1308; turning-on or turning-off selected/all lights as specified in the control request; para. 0089-0091]**, and has the response means implementing a lighting-off processing of the lighting device in the case except the above case **[Figs. 10-13; The information appliance can be a lighting system; Abstract, para. 0080, 0083]**.

Regarding claims 8 and 14, Thomas teaches when receiving all-response stoppage instructions from a user **[Fig. 10B, step 1018; e.g. the user completes the control request form for turning on or obviously can be turning-off selected/all lights; para. 0083]**, the response control means of the control system sends an all-response stoppage command to all the information appliance included in the network system **[Fig. 10B, step 1020 & Fig. 15, room lighting On/Off; sending the control request for turning-on or obviously can be turning-off selected/all lights; para. 0083, 0093-0094]**, and wherein the information appliance control means of the information appliance having received the all-response stoppage command has the

response means implementing a lighting-off processing of the lighting devices **[Fig. 13, steps 1302-1308; para. 0089-0091]**.

Regarding claims 22 and 23, Thomas teaches the information appliance wherein when receiving particular response instructions from the control system **[Fig. 11, steps 1106-1108 & Fig. 15, room lighting On/Off; e.g. receiving the control request from the remote computer for turning-on or obviously can be turning-off selected/all lights; para. 0085]**, the information appliance control means has the response means implementing a lighting-on processing of the lighting device in the case where the information for specifying the information appliance, contained in the received particular response command, is indicative of the information appliance **[Figs. 11 &13, steps 1302-1308; turning-on or turning-off selected/all lights as specified in the control request; para. 0089-0091]**, and has the response means implementing a lighting-off processing of the lighting device in the case except the above case **[Figs. 10-13; The information appliance can be a lighting system; Abstract, para. 0080, 0083]**.

Regarding claims 24 and 25, Thomas teaches the information appliance wherein when receiving all-response stoppage instructions from the control system **[Fig. 11, steps 1106-1108 & Fig. 15, room lighting On/Off; e.g. receiving the control request from the remote computer for turning-on or obviously can be turning-off selected/all lights; para. 0085]**, the information appliance control means has the

response means implementing a lighting-off processing of the lighting devices **[Fig. 13, steps 1302-1308; para. 0089-0091]**.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert T. Chou whose telephone number is 571-272-6045. The examiner can normally be reached on 8:30 - 17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham, can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Albert T Chou/
Examiner, Art Unit 2416
November 7, 2008